

## REMARKS

Claims 1-10 are pending in the instant application. Claims 1-10 have been rejected by the Examiner. Claims 1, 3, 4, and 9 have been amended. The Applicants submit that claims 1-10 are in condition for allowance and respectfully requests reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

### Claim Rejections Under 35 U.S.C. §103

The Examiner has rejected Claims 1 and 2 under 35 U.S.C. §103(a) as being allegedly unpatentable over Oberg et al., U.S. Patent Publication No. 2005/0084262 (hereinafter “Oberg 1”) in view of newly cited Seydnejad et al., U.S. Patent Publication No. 2004/0208525 (hereinafter “Seydnegad”). It is stated in the rejections that Oberg 1 discloses all of the limitations of the rejected claims except *detecting a line breakage by checking if an erroneous event corresponds to a ink error caused by reflection*, which the Examiner states is well known in the art as taught by Seydnejad in Figure 9 and paragraph 0046.

In addition, claims 3 and 9 are rejected under §103(a) as being allegedly unpatentable over Oberg 1 in view of Seydnejad and in further view of Oberg et al., U.S. Patent Publication No. 2003/0128984 (hereinafter “Oberg 2”). The Examiner has stated that Oberg 1 and Seydnejad disclose all elements of the claimed subject matter, except *the WDM filters are thin film WDM filters*, which the Examiner further states is well known in the art, citing as an example, Oberg 2 in Fig. 6a and paragraph 0040.

Claims 4-6 and 8 are rejected under §103(a) as being allegedly unpatentable over Oberg 1 in view of Seydnejad and Oberg 2 and further in view of Weissmann et al., U.S. Patent No. 5,333,130 (hereinafter “Weissmann”). The Examiner has stated that Oberg 1, Seydnejad and Oberg 2 disclose all elements of the claimed subject matter, except *a control unit for detecting respective states of the master and slave transmitting/receiving units and a fiber breakage status, thereby activating a selected one of the master and slave transmitting/receiving units to perform transmitting and receiving operation*, which the Examiner further states is well known in the art such as is disclosed in Weissmann in Fig. 4 and at Col. 9, lines 10-29.

Regarding Claim 8, the Examiner further contends that Weissmann discloses all of the limitations of these claims in Figs. 4-7.

Finally, Claims 7 and 10 are rejected under §103(a) as being allegedly unpatentable over Oberg 1 in view of Seynejad, Oberg 2 and Weissmann and further in view of Kowalczyk et al., U.S. Patent No. 5,587,957 (hereinafter “Kowalczyk”). The Examiner has stated that Oberg 1, Seydnehad Oberg 2 and Weissmann disclose all elements of the claimed subject matter, except *a buffer arranged at a rear end of the interface connected to the slave transmitting/receiving unit, and adapted to perform a data buffering operation*, which the Examiner further states is well known in the art such as is disclosed in Kowalczyk in Fig. 3 and at Col. 3, line 36 to Col. 4, line 5.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). The Applicants respectfully traverse the outstanding rejections of claims 1-10 for at least the reasons presented herein.

Claim 1 has been amended to recite, *inter alia*, “the redundancy MCs each include first and second couplers respectively connected to a master channel and a slave channel of the redundancy MCs.” No new matter has been entered by this amendment as this feature has been removed from claim 4 and incorporated into claim 1. The Applicants submit that claim 1 is patentably distinct from the cited references, either alone or in combination. In the Office Action, the Examiner states that one or more of Oberg1, Seydnejad, Oberg2, and Weissman teach this feature. Upon a thorough view of the references, this feature was not found. In fact, the only reference to a coupler in Oberg is a coupler that resides between a channel drop filter 31 and a band add/drop filter 27e/27w in Figure 4. By contrast, the couplers recited in Applicants’ claim 1 are connected to a master channel and slave channel of a redundancy MC. Accordingly, it is believed that claim 1 is patentable over the cited references. Independent claim 6 recites

substantially similar features as those recited in claim 1. For at least the reasons presented above with respect to claim 1, the Applicants submit that claim 6 is also patentably distinct from the cited references. Claims 2-5, and 9 depend from what should be an allowable base claim. Claims 7, 8, and 10 depend from what should be an allowable base claim. For at least these reasons, the Applicants submit that claims 2-5, and 7-10 are in condition for allowance. Reconsideration and withdrawal of the outstanding rejections is respectfully requested.

## CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is requested. It is submitted that the foregoing amendments and remarks should render the case in condition for allowance.

Accordingly, as the cited references neither anticipate nor render obvious that which the applicant deems to be the invention, it is respectfully requested that claims 1-10 be passed to issue.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,  
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